

the question has been raised as to what estate Thomas O'Connor had upon the death intestate of his wife, Anna M. O'Connor, and in turn what estate was he able to devise unto James L. O'Connor. The Complainant thereafter sets forth the fact that he feels that the terminology used in the said deed may have created a cloud upon the title to the property involved, and prays the Court to remove the cloud if any was created.

On April 20, 1960, Beulah M. DeWees, filed her Answer in the cause admitting the matters set forth in the petition and consenting to the passage of such order or decree as might be necessary to quiet the title to the property, determining it to be the property of James L. O'Connor. On the same day a like answer was filed on behalf of John F. O'Connor. A decree pro confesso was obtained against Mary M. O'Connor and Patricia O'Connor, wife of John O'Connor. Thereafter testimony was taken orally before the Court and the matters set forth in the Bill of Complaint were substantially proven by the witnesses who appeared and testified. In addition thereto, the parties concerned have executed paper writings conveying any interest they may have in the property unto James L. O'Connor, other than for Patricia O'Connor, whose whereabouts are unknown to any of the parties in the cause but, as stated above, a decree pro confesso has been obtained against her.

The Court feels that the language used in the deed is sufficient to pass title to the property herein involved. However, any question of any doubt has certainly been removed by the fact that all of the parties other than for Patricia O'Connor have executed paper writings conveying their interests in and to the property unto James L. O'Connor. And, likewise, the testimony of the witnesses who appeared establishes the fact that James L. O'Connor has occupied the property openly and notoriously for a